

Docket No. F-7873

Ser. No. 10/612,436

**REMARKS**

Claims 11-55 are now pending in this application. Claims 11, 13, 15 and 16 are rejected. Claims 12, 14 and 18-21 are objected to. Claims 1-10 are indicated as being withdrawn in the Office Action but were in fact previously cancelled. New claims 22-55 are added. Claims 12, 13, 16, and 18-21 are amended herein to address matters of form unrelated to substantive patentability issues.

The specification is amended to insert headings, remove cites to claims and to correct various other informalities. No new matter is added. Withdrawal of the objection is respectfully solicited.

**CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)**

Claims 11, 13/11, 15/13/11, 16/11 and 17/16/11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Watts. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim.*" *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

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The Watts reference is insufficient as a basis for the rejection because it fails to teach the claimed “ motor comprising working pressure chambers which are adapted to be acted upon by hydraulic fluid for producing rotational movement, a shaft to which the rotational movement is transferred. The Office action cites items 24 and 25 of the Watts reference as the “working pressure chambers.” However, a brief visual inspection of Fig. 1 and a review of the text reveals that while items 24 and 25 are hydraulic chambers, they are used to effect upward and downward linear motion of the piston 26 rather than rotational motion. Col. 3, line 55 through col. 4, line 19. In the Watts reference rotational motion is effected by the electric motor 18 which drives pinion 19 which in turn drives a gear 20 on a shaft 17.

In view of the above, it is respectfully submitted that claim 11 and claims dependent therefrom particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 11 and 22-27 and their allowance are respectfully requested.

#### **ALLOWABLE SUBJECT MATTER OBJECTIONS**

Claims 12, 14 and 18-21 are objected to as being dependent from rejected base claims. The Examiner indicates that the claims contain allowable subject matter and would be allowed if put in independent form incorporating the limitations of the base and intervening claims. Claim 12 is amended in accordance

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with the Examiner's suggestion and claims 13-21 are dependent therefrom. Reconsideration of the objection and allowance of the claims are respectfully requested.

Claims 28-55 are added and are submitted as patentable over the cited art of record. Independent claim 28 recites subject matter directed to the hydraulic motor assembly rotationally driving a shaft which has a bore housing electric supply conductors driven via slip rings and brushes. The slip rings and brushes are disposed in a mount end interior cavity of the hydraulic motor assembly and the electric supply conductors extend from the ends of the shaft. The hydraulic motor assembly drives a shaft body which is disposed between the first and second ends of the shaft. Such a configuration is in no way disclosed by the Watts reference.

Dependent claims 29-55 are patentable based on the subject matter recited therein in addition to the subject matter of claim 28. Claims 46-55 are directed to the configuration of the electric supply conductors and the brushes and slip rings. Claim 46 recites a ring hold collar at the first end of the shaft supporting the slip rings. Claims 47 and 53 recite the double brushes. Claims 48, 50, 54 and 55 recited a conductor holder collar disposed in the end of the axial shaft bore for supporting the conductors. These features are not taught by the Watts reference.

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**CLAIM FEES**

Fifteen claims in excess of twenty are added. The fee of \$750 for the claims is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.

**REQUEST FOR EXTENSION OF TIME**

Applicant respectfully requests a one month extension of time for responding to the Office Action. The fee of \$120 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.


If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

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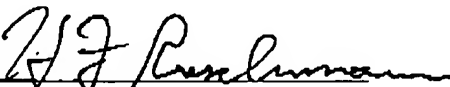
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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,  
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